

IN THE IOWA DISTRICT COURT IN AND FOR HARRISON COUNTY

THE STATE OF IOWA  
THE CITY/COUNTY OF HARRISON  
vs.

Before Magistrate Rencor

Criminal Number \_\_\_\_\_

Cody Metzker - MadsenLogan, IA 51546

## COMPLAINT AND AFFIDAVIT

The defendant is accused of the crime of  
Murder in the first degree \_\_\_\_\_ in violation of Section  
707.2 of the Iowa Criminal Code \_\_\_\_\_ 2011 \_\_\_\_\_ in that the defendant  
on or about the 31<sup>st</sup> day of August, 2013 (at approximately 7:00 o'clock  
pm), at location: wooded area adjacent to \_\_\_\_\_ Iowa,  
in Harrison County, did unlawfully, willfully, deliberately, and with premeditation kill another person.

THEREFORE, Complainant requests that said defendant, subject to bail or conditions of release where applicable,  
(1) be arrested or that other lawful steps be taken to obtain Defendants appearance in court; or  
(2) be detained, if already in custody, pending further proceedings;  
and that said Defendant otherwise be dealt with according to law.

Complainant

Signature of Complainant

STATE OF IOWA, County of HARRISON ss., AFFIDAVIT

I, the undersigned, being duly sworn, state that the following facts known by me or told to me by other reliable persons form the  
basis for my belief that the Defendant committed this crime.

On Saturday August 31, 2013, at approximately 7:14 pm, a 911 call was placed to the Harrison County Communication Center requesting officers at  
\_\_\_\_\_ in Logan to look for an injured boy. Upon arrival deputies discovered 3 year old Dominic Elkins deceased with what appeared  
to be multiple injuries to his head and torso.  
Seventeen year old Cody Metzker-Madsen was able to lead family members directly to the body which was located in the bottom of a ravine.  
Shortly before deputies arrived on scene, Metzker-Madsen, was seen with blood spatter on his face but no signs of injuries were noted. Metzker-  
Madsen made statements that he was 'playing bricks' with Elkins when he witnessed Elkins hitting himself in the head with a brick causing injuries.  
Deputy Brad Sleek noticed the Metzker-Madsen had blood on his shirt.  
Metzker-Madsen also changed his story as to what happened.

Subscribed and sworn to before me by the person(s) signing this Complaint (and Affirmation(s)) on this the \_\_\_\_\_ day of \_\_\_\_\_, 2013

Signature of Official  
BRIAN H. HEPBURN  
Commission Number 76  
My Commission Expires  
February 06, 2015

Complaint and affidavit(s) filed and probable cause found that the defendant committed the offense charged

Signature of Notary

Magistrate

## STATE OF IOWA, COUNTY OF HARRISON

STATE OF IOWA

VS.

Before Judge, Magistrate Jesse A. ReaderCarly Metzger - Metterson

Criminal Case Number \_\_\_\_\_

Defendant

## RECORD OF INITIAL APPEARANCE OF DEFENDANT

On this 1<sup>st</sup> day of September 2013, the defendant Carly Metzger - MettersonAppears before Jesse A. Reader Magistrate to answer to the charge ofMurder, 1<sup>st</sup> degree having been charged by a complaint dated the

1<sup>st</sup> Day of September 2013 which is triable in this court. The Magistrate informs the defendant as required by Rule 2(2) of the R.Cr. P. of the defendant's right to retain counsel, of the defendant's right to request the appointment of counsel if the defendant is unable by reason of indigence to obtain counsel, of the general circumstances under which the defendant may secure pretrial release of defendant's rights to review any conditions imposed on the defendant's release and that he or she is not required to make a statement and that any statement made by the defendant may be used against him or her as all evidence by signature hereto affixed.

Magistrate

Jesse A. Reader

The Magistrate finds from the complaint there is probable cause to believe that an offense has been committed and that the defendant has committed it. The defendant having requested the appointment of counsel and having demonstrated the right therefore pursuant to Section 936a.4 of the Code \_\_\_\_\_ Attorney is hereby appointed to represent the defendant.

The Magistrate informs the defendant that he/she is entitled to a preliminary hearing unless the defendant is indicted by a grand jury or a trial information is filed against him/her or he/she waives the preliminary hearing

- ☐ A. The defendant waives preliminary hearing and is held to answer in further proceedings  
☒ B. The defendant is informed of preliminary hearing to be held September 4, 2013  
 At 11:00 AM at Harrison County Courthouse in Logan Iowa

Magistrate

Jesse A. Reader

## WAIVER OF PRELIMINARY HEARING

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, I, \_\_\_\_\_

Being informed of my rights to a preliminary hearing with respect to the above charge unless indicted by a grand jury or a trial information is filed against me, I hereby waive my rights to such a preliminary hearing.

Defendant \_\_\_\_\_

 2013 SEP 3 11:31 AM  
 HARRISON COUNTY IOWA  
 CLERK OF COURT  
 2013 SEP 3 11:31 AM



13-09-03 11:31

c 0 >> 712 642 2776

P 1/3

New Case - (simple misdemeanor) (Indictable)

-Mell summons --

-Issue warrant - 5<sup>th</sup> degree theft, failure to appear, failure to pay

Bond \$ \_\_\_\_\_ Other \_\_\_\_\_

X -Defendant appeared (In custody of Sheriff Dept.) and advised of rights

-Signed waiver of counsel

-Amended to \_\_\_\_\_

-Plea of (not) guilty

-U for uncontested hearing \_\_\_\_\_ C for contested hearing \_\_\_\_\_

X -Trial set for \_\_\_\_\_

X -Preliminary hearing set for 09/09/13 @ 11AM

-Defendant requests a court appointed attorney, Granted - Denied

Attorney appointed TBD

X -Bond set at \$ 500,000

-Defendant released on recognizance bond,

X -Warrant of commitment issued.

-Mittimus issued.

-Fine \_\_\_\_\_ Surcharge \_\_\_\_\_ Costs \_\_\_\_\_ Law Enforcement

Initiative Surcharge \_\_\_\_\_ Restitution \_\_\_\_\_ TOTAL \_\_\_\_\_

-Defendant granted time to pay,

-Defendant sentenced to \_\_\_\_\_ days with \_\_\_\_\_ days suspended.

-Deferred sentence,

-Probation one year.

-Notices sent,

-No contact order issued \_\_\_\_\_

(victim)

This is a STATE OF IOWA VS. Cody Metzger - Madson

CITY OF \_\_\_\_\_ VS. \_\_\_\_\_

(traffic) of (non-traffic)

Jim Renda 9/10/13  
MAGISTRATE